

## RESOLUTION NO. A-\_\_\_\_\_

1           RESOLUTION of intention to establish a Management Business Improvement District to  
2           be known as the Core Business Improvement District Overlay bounded roughly by Centennial  
3           Mall, M., 9th and Q Streets in the City of Lincoln as more specifically described herein.

4           WHEREAS, the City Council of the City of Lincoln created a Business Area  
5           Improvement Board by Resolution Nos. A-83646 and A-83647 within the boundaries of a  
6           business area zoned for business, public, or commercial purposes in downtown Lincoln.

7           WHEREAS, the City Council determined the defined business area was in need of  
8           development and lacked the necessary funds to provide and maintain improvements;

9           WHEREAS, the Business Area Improvement Board, on January 17, 2006, recommended  
10          that the City Council create two new business improvement districts to become effective  
11          September 1, 2006 for a ten-year period ending August 31, 2016 funded by special assessments  
12          based on valuation consisting of a Downtown B.I.D. and a Core B.I.D. Overlay to replace the  
13          existing Management Business Improvement Districts; and

14          WHEREAS, the City of Lincoln intends to consider at public hearing an ordinance to  
15          establish the recommended districts.

16          BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

17          Under the authority of the Business Improvement District Act, Neb. Rev. Stat. § 19-4015  
18          et seq. (Reissue 1997) and based upon the recommendations received from the duly appointed  
19          Downtown Area Business Improvement Board and the Lincoln-Lancaster County Planning  
20          Commission, the City Council of the City of Lincoln hereby states its intention to create a  
21          Management Business Improvement District to be known as the Core Business Improvement

1 District Overlay for the purpose of providing work and improvement programs under the act for  
2 the betterment of the district and employing or contracting personnel, including administrators,  
3 to provide for any service as may be necessary or proper to carry out the purposes of the  
4 Business Improvement District Act as provided in the ordinance creating the district.

5 BE IT FURTHER RESOLVED that in accordance with the Business Improvement  
6 District Act, Neb. Rev. Stat. § 19-4015 et seq. (Reissue 1997) (the Act) the following  
7 information is provided regarding the creation of such Management Business Improvement  
8 District to be known as the Core Business Improvement District Overlay:

9 1. The following described property represented on the attached map (Attachment  
10 "A") shall be included within the business improvement district boundary:

11 In the original plat of the City of Lincoln: The south 1/2 of Blocks 25, 26,  
12 27 (including all of Bigelow's Subdivision and Quiggle's Subdivision), and 28;  
13 all of Blocks 34 (including all of J.G. Miller's subdivision), 35 (including all of  
14 the County Clerk's Subdivision of Block 35, all of the Schaberg Menlove's  
15 Subdivision and all of the Walsh, Putnam and Brocks Subdivision), 36,  
16 37(including all of Webster & Bonnell's Subdivision), 38, 39 (including all of the  
17 University Square addition), 40 (including all of Lansing's Subdivision), 41  
18 (including all of the County Clerk's Subdivision of Block 41), 57, 58, 64, 65, 66;  
19 the North 1/2 of Blocks 67 (including all of Ballantine Subdivision), and Old  
20 Federal 2nd Addition; the east 1/2 of Block 44; Lots 20 and 21 of Block 42; all of  
21 Block 55 except Lots 7-12 (including all of the County Clerk's Subdivision of  
22 Block 55, all of Cropsey's Subdivision, and all of Referee Subdivision; and Block  
23 59 of the original plat of the City of Lincoln including all those portions of  
24 vacated streets and alleys abutting thereon;

25 [42] All of Imhoff & Hyatt's Subdivision of Block 42 of the original plat  
26 of the City of Lincoln including all those portions of vacated streets and alleys  
27 abutting thereon;

1 [42] Lots 4, 5, 6, 7, 8, of Block 42 of the original plat of the City of  
2 Lincoln including all those portions of vacated streets and alleys abutting thereon;

3 [316] All of Lots 37, 38, 60, 61, and 62 of S.W. Little's Subdivision  
4 including all those portions of vacated streets and alleys abutting thereon;

5 [322] All of Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 of Little and  
6 Alexander's Subdivision of Lot 63 S.W. Little's Subdivision, including all of the  
7 east-west alley abutting thereon and including all those portions of vacated streets  
8 and alleys abutting thereon; and

9 [89] All of Cornhusker Square and Cornhusker Square 1st Addition  
10 including all those portions of vacated streets and alleys abutting thereon;

11 [56] All of Centrum Addition, Block 1;

12 Where properties are located on the outer edge of such district, the  
13 boundary of the district shall extend to the centerline of any street or alley  
14 abutting thereon.

15 2. That the City Council of the City of Lincoln will consider the establishment of  
16 such business improvement district at a public hearing on February 6, 2006, at the hour of 1:30  
17 p.m., or as soon thereafter as possible in the City Council Chambers, first floor, County-City  
18 Building, 555 South 10th Street, Lincoln, Nebraska 68508.

19 3. That examples of the work to be performed and specific improvements proposed  
20 to be made or maintained for such core business improvement district consist of:

21 a. Planning and feasibility studies for civic projects and improvements,  
22 including projects identified in the 2005 Downtown Master Plan that are located within the Core  
23 Overlay area;

24 b. Capital costs of holiday decorations;

25 c. Banners, lighting and other signage to create a core district identity;

26 d. Enhanced maintenance and landscaping services;

- e. Cosmetic capital improvements, including streetscape design plans, landscaping, lighting and sidewalk improvements;
- f. Public art;
- g. Tourism and visitor information services and promotions that benefit downtown hotels and the hospitality segment;
- h. Retail promotions to support shopping activity;
- i. Event management support and seed funds for new special events;
- j. Street furniture, including kiosks and benches;
- k. Other Core Overlay area promotions and improvements;
- l. Staff support to support core Overlay promotions and improvements.

4. The proposed district would become effective on September 1, 2006 for a period of 10 years to terminate on August 31, 2016. The estimated total annual costs and expenses for the work proposed to be performed within such district are \$159,349 (first year estimate); provided that maximum amount of the first year's annual assessment for the district would not exceed \$159,349. In the subsequent 9 years the maximum amount of the annual assessment for the district will not exceed the first year maximum assessment amount (\$159,349), plus an increase equal to the amount of the Lincoln Consumer Price Index or 5%, whichever is less. The specific improvements for the first year are listed for purposes of estimating the costs and expenses of performing the proposed work and improvements. The assessments levied shall not exceed \$159,349 for the first year. Although the district proposal is for a ten-year period, the City Council after public hearing shall approve an annual budget for specific work and improvements in each succeeding year consistent with the ordinance creating the district. The

1 City Council retains the authority to change, modify and remove proposed improvements;  
2 however, the proposed improvements cannot exceed the scope of improvements and the annual  
3 assessment cannot exceed the maximum amounts of the annual assessment provided by the  
4 ordinance creating the district.

5 5. The costs and expenses for the work proposed to be performed within such  
6 business improvement district will be raised through special assessments based upon the special  
7 benefits to the property as fairly and equitably assessed by the City Council. The assessments  
8 will be levied annually as a percentage of assessed valuation of taxable property within the  
9 districts. Based on the recommendation of the Business Area Improvement Board, residential  
10 properties, both owner-occupied and rental, are expected to receive full benefit from  
11 communications and advocacy services. This adjustment results in residential properties being  
12 assessed at 35% of the Downtown BID assessment rate for the purpose of Downtown BID  
13 assessments. Thirty-five percent (35%) is the proportion of communication and advocacy  
14 services in the Downtown BID budget. For income-assisted residential properties that provide  
15 low-to-moderate income owner-occupied and/or rental housing, the residential assessment rate  
16 will be 50% of the full residential rate, or 17.5% of the Downtown BID assessment rate for the  
17 purpose of Downtown BID assessments. The income-assisted adjustment will apply only to  
18 units that are restricted to occupancy be low-to-moderate income households. For mixed use  
19 buildings that combine residential and other uses, the property owner may submit evidence  
20 supporting a percentage split of the assessed value between residential and other uses for the  
21 City Council to consider when sitting as a board of equalization.

22 6. Based on the recommendation of the Business Area Improvement Board, all  
23 owners of property exempt from ad valorem taxes within the district will be invited annually to

1 contribute annually to the City of Lincoln to support B.I.D. activities, promotions and  
2 improvements. Any contributions shall be allocated to reduce assessment rates in the district.

3 7. Commonly owned properties that are intersected by a boundary line establishing  
4 the district shall be considered as entirely within the district unless otherwise determined by the  
5 City Council when sitting as a Board of Equalization.

Introduced by:

\_\_\_\_\_

Approved as to Form and Legality:

\_\_\_\_\_  
Assistant City Attorney

Approved this \_\_\_\_ day of \_\_\_\_\_, 2006:

\_\_\_\_\_  
Mayor